

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL NORWOOD,

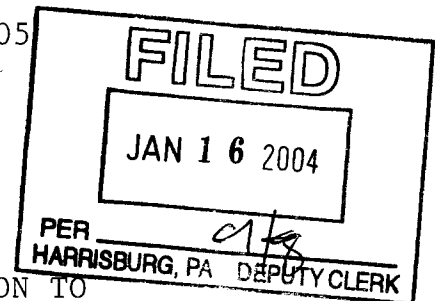
Plaintiff,

v.

DONALD ROMINE,

Defendant.

No. 1:CV-01-1005
(Smyser, M.J.)



PLAINTIFF'S REPLY TO DEFENDANT'S OPPOSITION TO
PLAINTIFF'S MOTION FOR A NEW TRIAL

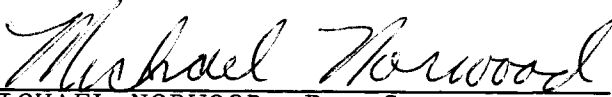
I. DISCUSSION

The defendant argues that the plaintiff's motion for a new trial is "groundless" because "the motion's challenge to the jury's verdict is unsupported by the record as it contains no references to the trial transcript and/or exhibits"... and because "there is no evidence cited to by Norwood that shows that Warden Romine knew, had reason to know, or even suspected that Chaplin Jamiu's decision was ill founded". (Opposition, at p. 4-5). The defendant's first contention is clearly belied by Defendant's Trial Exhibit(s) 3 & 8, respectively, which are specifically referenced in the Brief in Support of the Plaintiff's Motion for a New Trial. (Doc. 95). The defendant's fall-back position was similiarly rejected by this Court in its Memorandum and Order of February 10, 2003 (Doc. 47, at p. 16-17) and in its Report and Recommendation, filed February 12, 2002 (Doc. 25, at p. 12).

II. CONCLUSION

For the reasons stated above and for the reasons previously stated in the plaintiff's Brief in Support of Motion for a New Trial, the plaintiff's motion for a new trial should be granted pursuant to Fed.R.Civ.P. 59(a).

Respectfully submitted,

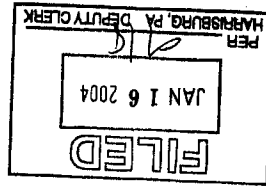

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Dated: January 14, 2004

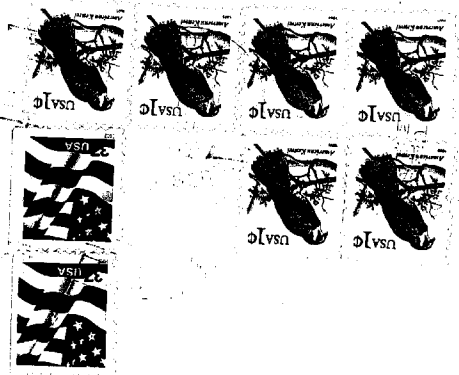
CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Plaintiff's Reply to Defendant's Opposition to Plaintiff's Motion For a New Trial has been served upon Joseph J. Terz, Assistant U.S. Attorney, 240 West Third Street, Williamsport, PA 17701, by placing same in a postage prepaid envelope and by inserting same in a U.S. mailbox this 14th day of January, 2004.


MICHAEL NORWOOD



CLERK
 United States District Court
 for the Middle District of PA
 228 Walnut Street
 Harrisburg, PA 17108



Inmate Name: Mr. Michael Newbold
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